

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA**

IN RE:	)	CASE NO.: 10-93904-BHL-11
	)	
EASTERN LIVESTOCK CO., LLC,	)	
	)	Chapter 11
	)	
Debtor.	)	
	)	
	)	

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**AGREED MOTION TO CONTINUE TELEPHONIC HEARING**

COMES NOW The United States of America, United States Department of Agriculture (“USDA”), by and through counsel, Jeffrey L. Hunter, Assistant United States Attorney, Southern District of Indiana, and the Florida Creditors, by and through undersigned counsel to respectfully requests that the Court continue the telephonic hearing scheduled for November 15, 2011, at 1:30 p.m., for a period of approximately ninety (90) days.

1. This case is set for a telephonic hearing on November 15, 2011, on the Motion to Quash Order Granting Motion for 2004 Examination upon the United States Department of Agriculture, Grain Inspection, Packers & Stockyards (“GIPSA”), accompanying brief filed by the United States and Creditor, Florida Association Livestock Markets’ Response in Opposition to Motion to Quash (re: Doc. Nos. 616, 630, 636).

2. As previously reported, progress has been made regarding a resolution of the matters at issue; with GIPSA response to prior public information requests and with the ongoing efforts by various creditors to request assistance of the Trustee concerning discovery. Additional time will be needed for the Florida Creditors to determine what is

available from the Trustee, what is available elsewhere, and what is required from GIPSA.

3. The Trustee has tentatively agreed to meetings with various Creditors regarding document disclosure and other matters on November 22, 2011 and December 14, 2011.

4. In light of the above, in the interest of efficiency, the telephonic hearing should be continued in order to permit time for the parties to resolve all matters that they can resolve without need for action by the Court.

WHEREFORE, the parties respectfully request that the telephonic hearing on the Motion to Quash Order Granting Motion for 2004 Examination upon the United States Department of Agriculture, Grain Inspection, Packers & Stockyards and related documents (Doc Nos. 616, 630, and 636), currently set for November 15, 2011 at 1:30 p.m., be continued for a period of approximately ninety (90) days.

Respectfully submitted this 15<sup>th</sup> day of November 2011:

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COUNSEL FOR FLORIDA CREDITORS, Hilliard-Mcketrick Investments, Inc. d/b/a Arcadia Stockyard; Cattlemen's Livestock Market, Inc.; Columbia Livestock Market, Inc.; Hardee Livestock Market, Inc.; North Florida Livestock Market, Inc.; Ocala Livestock Market, Inc.; Okeechobee Livestock Market, Inc.; Sumter County Farmers Market, Inc.; And Madison County Livestock Market, Inc. d/b/a Townsend Livestock Market; Ron Sizemore Trucking, Inc.; Oak Lake Cattle Co.; Eagle Bay, Inc.; And Daniel M. Byrd

**CERTIFICATE OF SERVICE**

I hereby certify that on November 15<sup>th</sup>, 2011, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

/s/ W. Scott Newbern  
W. SCOTT NEWBERN